REMARKS

Claims 1-118 were pending and presented for examination in this application. In an Office Action dated July 3, 2008, claims 1-118 were rejected. In view of the Remarks that follow, Applicants respectfully request that Examiner reconsider all outstanding rejections and withdraw them.

Response to Rejections under 35 U.S.C. 103

Claims 1-6, 20-21, 40, 45 and 55

In the 3rd paragraph of the Office Action, claims 1-6, 20-21, 40, 45 and 55 have been rejected under U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 5,721,883 to Katsuo ("Katsuo") in view of U.S. Patent No. 5,633,723 B1 to Sugiyama ("Sugiyama") and an article entitled "Performance Analysis of Median Filtering on Meiko™ – A Distributed Multiprocessor System" by K.M. Poon and N.H.C. Yung ("Poon"). This rejection now is traversed.

Claim 1 recites:

> A system for printing time-based media data, the system comprising:
>
> a user interface for receiving user input, the user input specifying a multimedia function to perform on the time-based media and specifying a distribution of processing power for carrying out the specified multimedia function, wherein carrying out the specified multimedia function includes selecting a range of the time-based media;
>
> a printer, communicatively coupled to the user interface, the printer adapted to perform a first amount of processing satisfying the distribution of processing power indicated by the received user input, and to output an instruction to perform a second amount of processing satisfying the distribution of processing power indicated by the received user input; and

> a processing device adapted to receive the instruction from the printer and perform the second amount of processing in response to the instruction from the printer.

None of the cited references, considered alone or in the combination suggested by the Examiner, disclose or suggest "a user interface for receiving **user input**, the user input specifying a multimedia function to perform on the time-based media and **specifying a distribution of processing power for carrying out the specified multimedia function**, wherein carrying out the specified multimedia function includes selecting a range of the time-based media."

The Examiner relies on a combination of Katsuo, Sugiyama, and Poon as allegedly showing the claimed element, and piecemeal addresses this element using those references.

The Examiner begins by alleging that Katsuo discloses *an input* for specifying a distribution of processing power for carrying out a multimedia function at col. 4, ll. 22-30 and col. 6, ll. 40-49. However, Katsuo merely discloses dividing up an image into small areas for parallel processing by a plurality of arithmetic processors executing the same program to process its respective portion of the image. See Katsuo, col. 4, ll. 5-16 and col. 4, ll. 9-11. In Katsuo, a **processor** analyzes a configuration file to determine the number of arithmetic processors and allocates processing according to a predefined algorithm. See Katsuo, col. 6, ll. 43-46. Katsuo fails to disclose or suggest any **input** specifying a distribution of processing power; indeed such input is unnecessary in the system of Katsuo. Applicants further note that the claim recites that the input is **user** input.

Poon fails to remedy the above-stated deficiencies of Katsuo. Like Katsuo, Poon's master **processor** divides processing evenly among identical slave processors according to a set formula that allocates an even share of the processing to each slave processor based solely on image height, image width, and the number of identical slave processors. See Poon, page 635, left column. Thus, Poon likewise fails to disclose or suggest any **input** specifying a distribution of processing power, because such an input would be unnecessary in the system of Poon.

Sugiyama also fails to remedy the above-stated deficient disclosures of Katsuo and Poon. Sugiyama merely discloses a video printer including mode-setting conditioning and other "keys" (FIG. 1, numerals 21-25; col. 3, l.57-col. 4, l. 8) that the Examiner relies upon to show "a user interface" for "user selections of processing parameters." Final Office Action at p. 4. However, Sugiyama also makes no mention of input, much less user input, for distributing processing between multiple processors.

Hence, Sugiyama, Katsuo fail to disclose or suggest at least "a user interface for receiving **user input**, the user input specifying a multimedia function to perform on the time-based media and **specifying a distribution of processing power for carrying out the specified multimedia function**, wherein carrying out the specified multimedia function includes selecting a range of the time-based media."

With respect to the combination, the Examiner's piecemeal treatment of this claim element has rendered it senseless: Katsuo and/or Poon show parallel processing with no specifying input and Sugiyama shows selection keys that have nothing to do with distribution of processing. Such a combination, if it could be made, would at best

produce a video printer that performs parallel processing according to a predefined algorithm and including selection keys for mode setting.

The Examiner further suggests that the above-stated combination is obvious, and that designing a user interface to receive user input for distribution of processing power would be obvious, because "user interfaces are ubiquitous in the art." *See* Final Office Action, p. 2. This conclusion is problematic for several reasons. First, while it is true that some variables (e.g., as disclosed in Sugiyama) are commonly set by user input, it is not at all ubiquitous in the art (nor suggested by the references) to accept user input **to specify distribution of processing power**. The fact that Sugiyama discloses a means for user input (for other purposes) does not provide any suggestion whatsoever for receiving user input **to specify distribution of processing power**. Second, the cited references teach away from user determination of processing power distribution. Katsuo and Poon, as with other conventional parallel processing systems, teach that it is more efficient for a computer to determine (typically equal) distribution. *See, e.g.,* Katsuo, col. 13, ll. 47-53; Poon, p. 635 col 1, ll. 1-30. Thus, the user input-determined processing distribution of the claimed invention is contrary to these teachings of the cited references. Finally, it is unclear to Applicants whether the Examiner's statements amount to an attempt to take Official Notice of the use of user interfaces "to set all manner of variables." Final Office Action, p. 2. If so, Applicants request that the Examiner explicitly say so, and request that the Examiner support such Official Notice with documentary evidence per MPEP 2144.03. As the issue of the obviousness of user input to specify distribution power is specifically what is in dispute, this fact is not one "capable of instant and unquestionable demonstration as being well-known."

Applicants continue to assert that absent such documentary evidence, the articulated rationale for the combination relied upon by the Examiner appears to be based on improper hindsight gleaned only from Applicant's disclosure. MPEP 2145.

In addition, for the reasons discussed above, the modifications of the references required for the suggested combination would take the cited aspects of Katsuo, Sugiyama, and/or Poon well beyond their "established functions," precluding the "predictability" of such combining under *KSR*. Thus, the claimed invention is "more than a predictable use of [these] prior art elements according to their established functions." *See KSR*, 127 S.Ct. 1727, 1739 (2007).

For at least the reasons above, claim 1 is patentable over the cited references. Dependent claims 2-6, 20-21, 40, 45 and 55 each incorporate all the limitations of claim 1 and are patentable over the cited references for at least the same reasons.

Claims 81-84, 98-99 and 118

In the 21st paragraph of the Office Action, claims 81-84, 98-99 and 118 have been rejected under U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 5,721,883 to Katsuo ("Katsuo") in view of U.S. Patent No. 5,633,723 B1 to Sugiyama ("Sugiyama").

Claim 81 recites a method for printing time-based media and includes limitations similar to those discussed above with respect to claim 1. Therefore claim 81 and its dependent claims are patentable over the cited references for at least the same reasons provided above.

Claims 7-19, 22-39, 42-44, 46-54, 56-80, 85-97 and 100-117

In the 4th-20th and 22nd-32nd paragraphs of the Office Action, the remaining dependent claims have further been rejected under U.S.C. 103(a) as allegedly being unpatentable over Katsuo and Sugiyama in various combinations with Poon; U.S. Patent No. 6,118,888 to Chino; U.S. Patent No. 5,091,948 to Kametani; U.S. Patent Application Publication No. 2002/0101513 A1 to Halverson; U.S. Patent No. 6,661,622 B1 to Krum; U.S. patent No. 6,594,377 B1 to Kim; U.S. Patent No. 5,568,406 to Gerber; U.S. Patent Application Publication No. 2003/0220988 A1 to Hymel; U.S. Patent Application Publication no. 2002/0010641 A1 to Stevens; U.S. Patent No. 6,296,693 B1 to McCarthy; U.S. Patent No. 5,115,967 to Wedekind; U.S. Patent Application Publication No. 2001/0003846 A1 to Rowe; and U.S. Patent No. 6,373,498 B1 to Abgrall.

The additional cited references all fail to disclose or suggest the limitations absent from Katsuo, Sugiyama, and Poon discussed above. Therefore, the claims are patentable over all of the referenced cited above, taken alone or in combination.

It is noted that dependent claims 85-118 recite various embodiments of the time-based multimedia function that are applied to the time-based media such as, for example, event detection, sound localization, motion analysis, etc. The references fail to provide any disclosure or suggestion of allocating processing that satisfies a user-specified distribution of processing power to carry out any of these multimedia functions. Thus, the dependent claims include their own patentable features in addition to the patentable features incorporated from their respective base claims.

CONCLUSION

The Examiner is asked to issue a Notice of Allowance for all pending claims. If any matters remain outstanding prior to allowance of the claims, the Examiner is invited to contact the undersigned representative.

Respectfully submitted,
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